

# Missiskoui



# Standard.

J. M. FERRES, EDITOR.

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## AGRICULTURAL.



From the Gennesee Farmer.

**THE HESSIAN FLY.**—One of our new subscribers in Ohio, has expressed a wish to see a dissertation on the Hessian fly, and as it may be acceptable to others of your readers, we shall attempt to furnish briefly, the most important of the information which we possess respecting it.

This insect belongs to the order Diptera, which includes all those insects having only two wings, and to the genus *Tipula*. The number of species belonging to this genus are numerous, amounting to more than one hundred and thirty of those hitherto known and described, and as many of these resemble each other, care is necessary in observations on the Hessian fly, that no mistakes are made in identifying the species.

The following description of the Hessian fly, (*Tipula vaginalis tritie* of Mitchell), given by Dr. Akerly, in the American Magazine and Critical Review, of August, 1817. ‘It is a very small black insect, not so large as the moscheto of this place, with two fine transparent wings, from the roots of which three ribs diverge, as through the leaf of a plant. The body, when examined by a microscope, is found to be divided into four segments, with a few hairs observable on each. The legs are of a yellowish cast, and transparent; the head inflected, with a short proboscis.’

This, in common with nearly all other insects, passes thro’ four distinct stages of existence: 1, the egg; 2, the larva, or maggot; 3, the pupa, or dormant state; and 4, the perfect winged insect. In this part of the country, it passes through two generations in one season, and attacks the wheat both in the spring and in the autumn. The fly, or perfect insect, deposits its eggs in the autumn, soon after the young plants appear above ground, between the lowest part of the leaf and that part which forms the main stem, or straw, and as near the root as possible. It resembles, at first a very small white nut, and as it grows larger becomes a sluggish and almost inanimate maggot, of a white colour. In this state, the proper and most natural food is the sap or juice of that kind of green wheat which has the most delicate straw. It remains in this situation through the whole winter, apparently in the chrysalis state, without suffering any injury from the frost or snow; and in the spring, as soon as the weather becomes warm enough, generally about the time vegetation has fairly commenced, it is transformed into the fly. In this state it performs the functions necessary for a continuation of its species. It lays its eggs between the straw or stem and the sheath which encloses it, as before described, and dies; and a new generation succeeds.

These eggs are soon hatched, by the warmth of the season; and the young insects may be discovered in the form of small white maggots, within the sheath of the straw, and just above the lower joints. They here continue to feed upon the sap and tender fibres of the plant, by which is either withered and dies, or stunted in its growth, so that the grain does not arrive at maturity. They are changed into the pupa state before harvest, and at this season, while the wheat is yet green, their presence may be readily detected by walking through the field, and pressing the heads with the fingers; those which feel soft, and unfilled with grains, are those which have been injured by the insect, and if the stalk be examined they will be found near the lower joints, somewhat resembling a flax seed, but smaller and slenderer, and of a dark brown colour. They continue in this state until after harvest, and may be found upon the stubble in the field. Early in autumn they pass into their winged state, and lay their eggs in the young of plants wheat as before described.

When the fly is about to issue from the pupa into the state of perfect insect, it disengages itself by boring a small round hole through the brown case in which it is enclosed, and thro’ the sheath of wheat just opposite to the place where it lodged, and this hole many be easily discovered as long as the stubble remains entire. (Its body is about one ninth of an inch in length.)

With regard to the time of undergoing its final transformation the first time in the season, Judge Havens observes, ‘The size of the maggot when full grown, and the

time necessary to complete its growth, depend in a great degree upon the quantity of nourishment it may obtain from the grain and the number of maggots that may happen to be on one straw. This, according to the best of my observations, is somewhat between four and six weeks which will bring the time in which its growth will generally be completed to the first part of June. But here the several causes of variation in the time of its being laid in the wheat, and of its completing its growth, both conspire to render this time so various, that some will be full grown, and others formed into a chrysalis [pupa,] while others are small; and this circumstance has no doubt led many skilful observers to suppose, that there are two complete generations of the insect before harvest. The second time that the fly issues from the pupa, depends also in a great degree on circumstances. ‘It generally,’ says Havens, ‘begins about the 20th or 25th of August, and continues in a greater or less degree through the whole month of September, but by far the greater part of the species are without doubt transformed into a fly, in the first part of this latter month.

By understanding the history of this insect, we are enabled to apply the means for its destruction, or for escaping its ravages. As it remains upon the stubble in the pupa state after harvest, the first means to be used is, to *destroy the stubble soon after cutting the wheat*. This is to be done either by ploughing or burning. If by the former, the pupa is buried in the earth, and is thus prevented from changing to the fly; or if it changes it cannot escape. Unless, therefore, the stubble be completely buried, the experiment will not succeed, consequently the deeper the ploughing the better. If by the latter, the stubble must be entirely burnt, in order that the destruction may be complete, for, as the insect lies near the root, it will escape unless the fire be well applied.

But the best method of preventing the mischief occasioned by it, is to *sow so late that the wheat will not be above ground until the autumn fly has perished*. As the fly is in the state of the greatest activity early in September, the wheat which is up at that season, will be most liable to be destroyed; on the contrary, if the sowing is deferred until a month later, it will in a great measure escape. It is supposed that a single frost will destroy all the insects while in the state of the fly, and if the wheat is not up before such an occurrence, no danger whatever is to be apprehended.

In endeavouring, however to escape one calamity, it is necessary to avoid the opposite evil. If the grain is sown too late there will be danger, as is obvious, of its suffering from the effects of the frost of winter, or in other words, of being *winter killed*. Hence a middle course must be adopted. It may also be observed, that as there is a decided advantage in *early sowing* where wheat is not attacked by the fly, it would not be advisable where no danger of such attack is to be apprehended, as is the case in some places, to sow late in order to avoid its ravages.

The best evidence in favour of late sowing, as a means of preventing injury from the fly, is experience. Among other instances, two are related by a correspondent of this paper in Pennsylvania, (vol 3, p. 321,) who waited till the first autumnal frost, when his grain was sowed and covered as speedily as possible. The result was that the next harvest he had a good crop of excellent wheat while his neighbours on each side of him, who sowed earlier, did not reap more than one-fifth of the quantity, and that injured by the fly. The other instance was this:—One half of the wheat crop was first sown, when a heavy fall of rain took place, which retarded the sowing of the rest until dry weather with frost; when it was harvested, the first sown was scarcely worth taking into the barn, while the latter proved an average crop of merchantable wheat. In these instances, the effect of frost in destroying the parent insect, is obvious.

Although the *autumn fly* is considered as the cause of the far greater part of the mischief, much injury is often committed by the *spring fly*. This is more especially the case where the wheat is sown *too late* in the fall, and is not of sufficient vigor the next season to outgrow the effects of the injury. This is an additional reason for selecting a medium period for sowing. An instance of the efficacy of this course will be found on page 81, of the current volume of the Gennesee Farmer.

In conclusion, therefore, we would recommend, as the best general rule for escaping the ravages of the Hessian fly, to sow, if the season and circumstances will admit, immediately after the first frost, on ground which has since harvest been kept clear from all vegetable growth which might serve as a refuge for it, and never in any case to sow before the early part of Oc-

tober. But as additional facts brought to light by further experiments, cannot fail to be useful, we shall close this article by repeating the suggestion of Judge Havens: ‘Let those who may have leisure and curiosity on this subject, and who reside in different parts of the country where the insect may prevail, sow small patches of different kinds of wheat, as often as once or twice in a month, during the whole season, adjoining to some field of wheat or stubble, where the insect may be found in greatest number; and let its progress be observed on those different patches of wheat, and the result of the observations be collected and compared with each other.’

From the Montreal Herald.

**SIR F. B. HEAD'S LAST WORK.**  
*Bubbles from the Brunnens of Nassau.*

BY AN OLD MAN.

Reviewed by the London Printing Machine.

This is the pleasantest, light, gossiping little volume we have had for a long time; nor is it deficient in instruction, and in useful practical hints by which the sum of enjoyment of all classes may be raised and increased. The author, indeed, shows a lively interest in the condition of the people, on the subject of popular education, and in all that has a tendency to improve his native country and mankind generally. Writing in the character of a gentleman, he continually insists on what is due to the people, and on the necessity which our aristocracy lies under, of keeping up with the enlightenment of the lower classes.

As to the preventing or retarding the progress of education among the people, he treats such an idea as a monstrous absurdity; and he exposes the plan of education pursued for the sons of the rich, in what he calls ‘those slaughter-houses of the understanding, our public schools,’ with well merited severity. In common with all liberal and truly enlightened minds, he wished to see wholesome instruction imparted to all classes of the community, the cheap elegances of life universally diffused, the thorny and infinitely subdivided barriers that occur in our society removed or softened down, & the intercourse of man with man, whatever may be their relative wealth or rank, rendered more easy and amiable. And all this he wishes, not for the sake of a revolutionary jumble, but as the true means of preventing revolution—not as a Millennium for sans culottes and levellers, but as a feasible and wholesome state of things, in which every man may enjoy the fruits of his own inheritance or industry, and rank and wealth cease to be objects of envy and hatred. It is, indeed, worthy remark, that our traveller finds a considerable portion of those things his heart most desires in the poor dominions of the almost absolute Duke of Nassau, where the most inveterate Tory can scarcely complain of any want of respect to established order, or to the privileges of birth and riches. In those states there is a national system of education; there are regularly organized schools, in which the boys and girls of Protestants, Catholics, and Jews alike, receive ‘the blessings and advantages of cheap instruction;’ the children are taught vocal music; the mechanics and the peasants have their cheap recreations; the servants are neither over-dressed and over-fed, nor under-rated as sensitive rational beings and treated with arrogance; and when people of all conditions of life, from the highest down almost to the very lowest, meet casually, as they were accustomed to do, at their watering places—their ‘Cheltenhams’ and ‘Baths’—there is no restraint or natural avoidance—no haughty superciliousness on the one side, or insolence or cringing on the other.

But on this last head, let us see our author’s description of a public table d’hôte dinner in the hotel at Langen-Schwalbach.

‘The company which comes to the brunnens for health, and which daily assembles at dinner, is of the most heterogeneous description, being composed of princes, dukes, barons, counts, &c., down to the petty shopkeeper, and even the Jew of Frankford, Mainz, and other neighboring towns; in short, all the most jarring elements of society, at the same moment enter the room, to partake together, the same one shilling and eight-penny dinner.

Even to a stranger, like myself, it was easy to perceive that the company, as they seated themselves around the table, herded together in parties and coteries, neither acquainted with each other, nor with much disposition to be acquainted: still, all those invaluable forms of society which connect the guests of any private individual were most strictly observed: and, from the natural good sense and good breeding in the country, this happy combination was apparently effected without any effort.—Not one seemed to be under any restraint; yet

there was no freezing formality at one end of the table, nor ruder boisterous mirth at

the other. With an honest good appetite as could belong to any set of people under the sun, I particularly remarked that there was no scrambling for favorite dishes \* \* no greediness, no impatience, and nothing which seemed for a single moment to interrupt the general harmony of the scene; and, though I scarcely heard a syllable of the buzz of conversation which surrounded me—although every moment I felt less & less disposed to attempt to eat what for some time had gradually been coagulating in my plate—yet, leaning back in my chair, I certainly did derive very great pleasure and I hope a very rational enjoyment, in looking upon so pleasing a picture of civilized life.’

To this description, our traveller appends some excellent remarks, which may be advantageously studied by all, and are thus introduced:

‘In England we are too apt to designate by the general term, ‘Society,’ the particular class, clan or clique, in which we ourselves may happen to move, and if that little speck be sufficiently published, people are generally quite satisfied with what they term ‘the present state of society;’ yet there exists a very important difference between this ideal civilization of a part or parts of a community, and the actual civilization of the community as a whole; and surely no country can justly claim for itself that title, until not only can its various members move separately among each other, but until, if necessary, they can all meet and sit together... Now if this assertion be admitted, I fear it cannot be denied that we islanders are very far from being as highly polished as our continental neighbors, and that we too often take odd provincial habits of our own invention, for the broad, useful, current manners of the world.’

A great charm in the volume before us is the kindly humane disposition it everywhere evinces, and the readiness of the author to observe and be delighted with natural scenery and objects that are equally open to the humblest traveller or the poorest peasant, he offers some valuable suggestions observed from his observations of the practices of the Germans in those matters, *as to the means of avoiding useless and injurious cruelty in the treatment of domestic animals*. The noble horse, the sweet-smelling cow, nay, even the despised pig, claim each a share in his merciful consideration. His description of these animals, and the hills, woods, and valleys of Nassau, where he meets them, are spirited and graphic; and indeed, all these portions of his book are to us exceedingly interesting. In the pure dry air of the country—in the sight of a harvest field, with the local peculiarities of reaping the corn—in the home view of a little valley, as in the glorious prospect of the Rhine, caught by climbing up a tree on the mountain’s side—in the observation of the manners and habits of the quiet peasantry, or of the sporting of the little fire flies by night, this amiable traveller finds a fund of enjoyment, which he largely imparts to his reader in his easy natural sketches.

**A THRILLING ADVENTURE.**—I have

heard a story somewhere of a merchant who collected a party together to give eclat to one of those little family festivals which brighten the dark track of life, and cheer the human heart in every clime....it was his daughter’s wedding day; crowds of her young acquaintances circled round her, and as the father gazed proudly on the face of the young bride, he wished as bright a prospect might open for his other children, who were gambling merrily among the crowd. Passing through the passage connecting the lower rooms, he met a servant-maid, an ignorant country wench, who was carrying a lighted tallow candle in her hand without a candlestick. He blamed her for this dirty conduct, and went into the kitchen to make some arrangements with his wife about the supper-table: the girl shortly returned with her arms full of bottles, but without the candle. The merchant immediately recollects that several barrels of gunpowder had been placed in his cellar during the day, and that his foreman had opened one of the barrels to select a sample for a customer. ‘Where is your candle?’ he inquired in the utmost agitation. ‘I couldn’t bring it with me, for my hands were full,’ said the girl. ‘Where did you leave it?’ ‘Well, I’d no candlestick, so I stuck it into some black sand that’s there in one of the tubs.’

The merchant dashed down the cellar steps; the passage was long and dark, and as he groped his way his knees threatened to give way under him, his breath was checked, and his flesh seemed suddenly to become dry and parched, as if he already felt the suffocating blast of death. At the extremity of the passage, in the front cellar under the very room where his children and their friends were revelling in felicity

he discerned the open powder barrel, full almost to the top—the candle stuck lightly in the loose grains, with a long and red snuff of burnt out wick topping the small and gloomy flame. The sight seemed to wither all his powers, and the merry laugh of the youngsters above, struck upon his heart like the knell of death. He stood for some moments, gazing upon the light; unable to advance. The fiddler commenced a lively jig, and the feet of the dancers responded with increased vivacity: the floor shook with their exertions, and the loose bottles in the cellar jingled with the motion. He fancied the candle moved....was falling!—with desperate energy he dashed forward! but how was he to move it? The slightest touch would cause the small live coal of wick to fall into the loose powder. With unequalled presence of mind he placed a hand each side of the candle, with the open palms upwards, and the distended fingers pointed towards the object of his care, which as his hands gradually met, was secured in the clasping or locking of his fingers, and safely removed from the head of the barrel. When he reached the head of the stairs, the excitement was over; he smiled at the danger he had conquered; but the reaction was too powerful, and he fell into fits of most violent and dreadful laughter. He was conveyed senseless to bed, and many weeks elapsed ere his nerves recovered sufficient to allow him to resume his habits of every-day life.

**INTEMPERANCE—INSANITY.**—The bloated face, and trembling hand...indigestion and dropsy...diseased liver and kidneys,...are common and acknowledged effects of intemperance. By this word intemperance, we do not mean merely drunkenness, but the practice of daily stimulating beyond their healthy and regular beats, the heart and blood vessels, by potations of vinous, malt, or distilled liquors. It is not, perhaps, so generally known that the man of intemperate habits is prone to madness, and of course liable to become the inmate of a hospital, or lunatic asylum. The instances of temporary madness in drunkards are very common. After some days they may recover by suitable medical treatment, but if they return to their evil habits, they are exposed to fresh attacks, which finally prove fatal. A wound or a fractured limb which, in common healthy constitutions, would soon heal, will often excite to frenzy the habitual drunkard, and be the immediate cause of his death. The chances of recovery from any disease whatever, are infinitely less for the drunkard than the sober man. When the small pox prevailed so extensively in this city, in 1823—4, we never knew of a drunkard who recovered from an attack of the natural disease, that is, where neither vaccination nor inoculation had been practised. He for the most part died delirious.

But, independent of these instances of temporary and accidental madness, there is a formidable list of the permanent and incurable kind, caused by drunkenness. In a table of 1370, lunatics admitted into the asylum at Cork, Dr. Hallaray says that 160, nearly an eighth of the whole number, were insane from this unhappy indulgence. Though the French are comparatively a sober people, it appears that out of 2507 lunatics admitted into their hospitals, 185 were insane from the same cause. Men are often driven to self destruction by a habit of drunkenness. Out of 218 cases of suicide, published by Professor Casper of Berlin, (in a list of 500) the causes of which were known, 54 were the effects of drunkenness and dissipation.

**A ABOUT TO DO IT.**—An agent writes us that he was ‘about getting’ some subscribers, but in the mean time an agent for another paper visited the place, and got them all away. How many failures are there in this world of things which are about to be done. The merchant was about to go to his store...but the customer has come and made his purchase elsewhere. The farmer was about to mend his fence, but the cattle have got in and destroyed his corn. The house was about to be insured, but in the mean time it took fire and burnt up. The debtor was about to discharge his honest dues but in the mean time the money slipped away to some other use. The head of the family was about to attend family worship, the proper hour has passed, and the call of a friend, or the pressure of business has laid it aside for the present. The good man was about to make a donation for benevolent purposes, but he died suddenly. The sinner was about to repent but a sudden death prevented.—*Zion’s Advocate*.

When Col. Travis’s servant was asked how Col. Crockett behaved in the battle of the Alamo, he replied, ‘It was thought that Col. Crocket killed the most as he had the biggest pile around him.’

### SMALL CAUSES ACT.

Abstract of an Act to provide for the Summary Trial of Small Causes, passed March 21, 1836.

SEC. 1. Provides that the Governor or person administering the Government may appoint such, and as many Commissioners as he shall think fit, in any parish or Township to try suits purely personal, to the amount of six pounds five shillings, arising within the Township where such commissioners may reside; and they may issue summonses not to be returnable within less than three intermediate days, when the defendant resides within two leagues from the residence of the commissioners before whom they are summoned, allowing one day more between the service and return of every summons, for five leagues over the above distance. Provided, that in Townships where no commissioners are appointed, suits may be brought before the nearest commissioner within the county, not exceeding six leagues and in all cases suits may be brought before the commissioners' court nearest to the residence of the defendant, provided it be within the county; and if in any suit the commissioner be refused by either party the suit to be transmitted to the nearest commissioner, and if the recusation be adjudged valid, such commissioner to determine the case, but if not adjudged valid the parties to be sent before the recused commissioner, who may tax the costs of such recusation to the party making it. Provided that the plaintiff or defendant may refer matters in contestation to three Arbitrators to be named by the commissioners, whose decision shall be conclusive.

2. That no commissioner shall be appointed unless a petition signed by at least 100 proprietors of lands or tenements, in the Township, be presented to the Governor, praying for the establishment of such court, such petition to be certified by three of the principal inhabitants, proprietors of lands of such Township.

4. Actions for slander, assault and battery, or such as shall relate to paternity, or to civil estate of persons in general, or for seduction, or lying in expenses, or for any fine or penalty, not to be brought before such commissioners.

5. The commissioners to make oath before a justice of the peace faithfully to perform their duty. The clerk also to make similar oath, provided that no bailiff, sergeant of militia, tavern-keeper, or vendor of spirituous liquors to be drunk on their premises, shall be elected as commissioners, or appointed clerk; clerk must be of lawful age and not be a justice of the peace, nor father, son, brother, brother in law, son in law, nephew, the clerk or agent of either of the commissioners. The clerk must either give security in the sum of £100 currency for the due performance of his duty, or must have for his own use and benefit and in his actual possession a freehold estate within the county of the yearly value of £12 currency, over and above all incumbrance of the same.

7. Courts to be held on the first and third Saturdays of every month, and on any other days to which it may be found necessary to adjourn for hearing witnesses, and determining suits; courts to be held in rooms provided by the clerk, but not in any tavern or place of public entertainment.

8. Commissioners to have the same authority to preserve order while holding courts, as is exercised by any courts of justice in this province.

9. Commissioners may during six months after the expiration of this act, cause the judgments rendered to be executed, and may do all things necessary in law to the full execution of the said judgments.

10. Clerk to be appointed by a majority of commissioners where there are more than two and if not more than two by the commissioner first on the list; clerk may be removed from his office by the commissioner appointing him, or by a majority of the commissioners, with the sanction of the Governor.

11. No recompence shall be granted to any commissioner, for any thing done under this act; nor shall the clerk serve any process; and any commissioner or clerk, who shall misdemean himself, or deliver to any Bailiff, Peace officer, Sergeant of Militia, or other person, any process to be by him or them distributed, or otherwise disposed of, shall incur a penalty of five pounds currency, and be disabled from acting as commissioner or clerk.

12. Not more than one court to be held in the same Township. The court to be held near the church, or at the most public place, to be designated by a majority of the commissioners, or when but two by the one first on the list; every writ or summons issued to name the place where the court is to be held.

13. No Bailiff or Sergeant of Militia shall act as Attorney before the commissioners; nor shall any other than an Attorney or Barrister duly commissioned, to act without a power of Attorney, or in presence of the parties with their consent; and every person not commissioned to practise before the commissioners, shall do so gratis, under the penalties of the crime of extortion, and be forever incapable of practising as Attorney or Agent before the said commissioners; Provided that no summons shall be delivered to any Bailiff or Sergeant of Militia, personally interested in the suit.

14. Commissioners may issue subpoenas to compel the attendance of witnesses before them under a penalty of not more than thirty nor less than ten shillings; com-

missioners may administer an oath to witnesses.

15. No writ of summons, subpoena or execution to be directed to, or served by any person other than a Bailiff or Sergeant of Militia residing in the Township where the defendant or witness resides, unless such Bailiff or Sergeant should renounce all claim to any greater sum than he would be entitled to if he resided in the Township; provided that when no Bailiff or Sergeant, residing in the Township is qualified or willing to make return in writing, the commissioners may address such summons to the nearest Bailiff residing out of the Township, or to any other person residing therein, to be named in the writ, who shall make oath to the service and execution thereof, provided that no writ of execution shall be directed to any person other than a Bailiff.

16. Witnesses not to be compelled to attend on the day of return, but in cases of default, a subsequent day to be named; provided, that if the defendant shall make default when the service has been personal, the plaintiff may immediately prove his case by witnesses if necessary, and the commissioners in such case may give judgment instantaneously.

17. Commissioners may allow to the clerk for every summons, one shilling and sixpence currency, when the amount demanded shall be more than one hundred livres old currency (£16 6*7*); for every copy of a summons 6*d*. currency, for subpoena 1*s*; copy of subpoena 6*d*; every judgment and copy thereof 1*s* 3*d*; every writ of execution 1*s* 3*d*; every attachment in the hands of a third person, 1*s* 6*d*; for every copy thereof 6*d*; for entering every opposition 6*d*; and the Bailiff or Sergeant shall have for every service of process and certificate thereof 1*s*; and at the rate of 1*s*. per league for travel, counting but one way; provided, that no allowance shall be made for travelling on more than one service on the same defendant, although several writs may be served, provided also, that no plaintiff who shall give several writs to one Bailiff shall compound with him to receive a less sum than by law allowed, under penalty of punishment for extortion.

18. When judgment does not exceed ten shillings, the costs, (exclusive of travelling expenses and the arbitration,) shall not exceed the principal sum for which judgment is given.

19. Any person refusing to pay the amount of judgment against him, commissioners shall cause the same to be levied according to law, by sale of goods of the party refusing, with costs and charges, which shall not in any case exceed 7*s* 6*d*; provided that when seizures only of goods shall take place, costs not to exceed 3*s* 9*d*; travelling expenses and expenses for keeping cattle seized, in all cases excepted.

20. Commissioners may issue writs of Saisie Gagerie and Saisie Arrest after judgment, in cases where such writs are allowed by law.

21. Commissioners may enforce their judgment.

22. Writs of execution returnable in not less than fifteen nor more than sixty days from their date.

23. Commissioners may grant a stay of execution, and order that the amount of the awarded, be made in two annual instalments of not more than one month each,

but if not paid at the time appointed, execution may then issue for what remains due, provided when any poor defendant shall before judgment, offer good security for the amount of debt and costs, the commissioners may order the amount of judgment to be paid by weekly instalments, the last of which to be not more than six months after judgment.

24. All oppositions &c, to be decided summarily before the commissioners.

25. The commissioners shall keep a Register of all suits and proceedings, judgments &c, before them, containing the names of the parties, nature of demand, and defence, and what papers were produced as evidence &c, and shall give a copy of such entries to any person demanding the same, the clerk receiving for such copy 6*d*. for every hundred words, under penalty of £100 for refusing to give a copy.

26. Commissioners ceasing to perform their duties must deposit their Registers with their successors, and in case of non-continuance of the office, registers to be deposited in the office of Prothonotary of the District, under penalty of £25.

27, 8 & 9. Any Notarial instrument or writing under private signature, produced in evidence before the commissioners, alleged to be forged, such allegation to operate as an evocation of the suit to the court of King's Bench. And when such evocation shall occur the commissioners or clerk to transmit in 15 days, copies of documents relating to the cause to the Prothonotary; provided that no documents shall be so transmitted unless good security for costs shall have been given by the party alleging the forgery. And the court of King's Bench shall determine the matter at issue between the parties, and may award costs against the party making the allegation, if he fail to substantiate his charge.

28. All fines and penalties incurred under this act, respecting which no other provision is made, to be sued for and recovered before any court of competent jurisdiction in the District, one moiety to the prosecutor, and the other to the Receiver General.

29. Commissioners may issue subpoenas to receive printed copies of this act. This act not to derogate from the rights of the Crown.

Registers &c. of Summary Courts hereto-

fore in existence to be delivered to the clerks of the commissioners' courts. This act to continue in force till the first day of May, 1842, and no longer.

Letters recently received in this city from gentlemen in London, intimately connected with Canada, confirm the statements which we copy below from the *Times* and *Morning Herald*, as to the formation of a Colonial Bank. The capital is said to be £500,000 Sterling, and the principal agency, as we learn, is to be established in Montreal, with C. J. Forbes, Esq. formerly of this city, as Manager. We cordially agree with the *Morning Herald*, in its opinion, that the introduction of this amount of capital among us, will prove extremely beneficial. For more ample details, in reference to this interesting subject, we must await future arrivals from England.

In regard to the great Colonial Bank, the formation of which was adverted to yesterday, one of the conditions of the charter obtained is, that £25 per cent. of the capital subscribed shall be paid up within a very short time.

Its sphere of operations will be confined in the first instance to the West India Islands, but may possibly be extended hereafter to Canada and other British Colonies. The want of such an institution, is, however, greater in the West Indies than in any other part of our Colonial possessions. The chief places of business will be Jamaica and Barbadoes, but a branch will be established in each of the Islands. The business is intended to be confined to banking operations, such as the discount and draught of bills, or advances on Government securities, and it is neither intended to lend money on goods, ships, houses, nor freehold property. An office will be established in London for the transfer of shares and the payment of dividends.—*Times*.

It has transpired today amongst the leading monetary and commercial circles, that one of the most powerful Colonial Banks is immediately about to be formed exclusively for the British North American Colonies. It will, we understand, embrace in its direction a portion of the directors of the Irish Provincial Bank, nearly the whole of the merchants engaged in the Canada trade. To this useful description of joint-stock bank we cannot object, and it is only the wild visionary schemes which tend to delude the unwary and gratify individual cupidity, that we have ever condemned, or shall continue to condemn. We, however, deem that a company formed for such a legitimate and national purpose as that of fostering the trade of a portion of our most important Colonies, where a truly correct banking system is much wanted, merits national support. Government would show its wisdom much more by the encouragement of such an institution than by any other measure it could adopt, as it must tend to delude the existing ties between the Mother country and our North American Colonial possessions; nay, we believe that ultimately this contemplated introduction of capital into those noble Colonies, by the consequent stimulus which will be given to the industry of all descriptions, will tend infinitely more to destroy their chief curse, 'party feeling,' than any thing the commissioners of Inquiry can devise.—*Morning Herald*.

### UPPER CANADA.

We can scarcely keep pace with the numerous addresses which are pouring in upon Sir FRANCIS HEAD from all quarters to which his answers are open mainly and dignified. A deputation from the JOHNSTOWN District waited on his Excellency on the 24th instant, with an address from which we can only copy the following extract:

'We deeply regret that when in the onset of your Government, you had, by the express command of his Majesty, declared your intention to administer the affairs of this Province according to the principles of the Constitution with a fixed determination to redress any grievances which might exist, persons, whose station and experience led us to expect from them a loyal & constitutional support of your Excellency's Administration, should have lent themselves to increase the difficulties with which you are surrounded at this important crisis, and have joined in an interpretation of the principles of the constitution, from which we entirely dissent, holding it to be most false, ungrounded and dangerous—tending directly to disruption of the happy connexion existing between us and the Mother Country—to the subversion of Monarchical institutions—and to the certain introduction of democracy, and a Republican Government.'

We feel assured that there is no exaggeration in all that is said of the resources and prospects of this noble Colony, but we are not so dazzled by an idea of our own importance and maturity, as to mistake the promise of infancy for the power of manhood, or rashly to desire a diminution of the fostering care of the Mother Country, or of those to whom she entrusts the management of her own important affairs, and who are responsible to her for their administration both at home and abroad. We cannot, therefore, think that our rights as British subjects can be preserved inviolate, or our best interests be otherwise than irreparably injured, by any temporising with the spirit of agitation which aims at giving currency to such ideas, or by yielding to such propositions as would weaken the strength of our government, by infusing a greater portion of democracy into the Constitution.'

The answer of His Excellency is peculiar in form, but it must strike home to the sense and intelligence of all by whom

it is read. It deserves a patient perusal, and ought to be studied repeatedly, that all its force and power may be fully appreciated.

### HIS EXCELLENCY'S REPLY.

GENTLEMEN,—Besides the general Address which you have just presented to me from the inhabitants of the Johnstown District, I have also this morning received from individual Townships of the same District no less than nine similar Addresses, which altogether contain 3,387 signatures.

In each of these documents, the station, lot, and concession of every subscriber is affixed to his name, and I have particularly remarked, that nine-tenths of the signatures are those of yeomen and farmers.

I need hardly say, that it affords me consolation to observe from your address, that the yeomanry and farmers of Upper Canada, instead of allowing other people to think for them, have been at last driven to the necessity of judging for themselves of the serious events which have lately passed before their eyes.

In the Mother Country I have invariably found, that, when the yeomanry are once aroused from the lethargy in which they are too apt to remain, their sturdy opinion forms one of the most correct verdicts in the land, and confidently believing that such will prove to be the case in this Province, I beg to ask those yeomen and farmers of the Johnstown District, whose names are subscribed to the documents I have just received, the following plain questions.

What necessity has there been for this general disturbance throughout Upper Canada about a responsible Executive Government?

Can any honest man declare that as the Lieutenant Governor of this Province, I have shrunk from responsibility, or that I have theoretically or practically denied it to the people?

On my arrival, in this province, did I not at once disclose the whole of my instructions?

Have I not evidently, to the best of my ability, endeavoured calmly to explain not only to the Legislature, but to the inhabitants of this Province, my reasons for declining to surrender to my late Executive Council, that power and patronage which is the prerogative of the Crown?

Has the language which so unnecessarily has assailed me, diverted me from my declared determination to govern and be governed by reason?

Have I once rebuked it by an intemperate expression?

While I was resolutely defending your Constitution, which is the sacred charter of your freedom, did I not repeatedly declare that, in case I was wrong, there existed above us all a high tribunal to which I was ever ready to bow?

Why, I ask, was not that offer accepted?

What necessity was there for my opponents to promulgate, during the discussion, that their grand object was 'TO STOP THE SUPPLIES'?

What was the use of paralyzing the country by so cruel a remedy?

Did they think that despair and poverty could explain what reason and argument had failed to substantiate?

Supposing I had erred in having publicly declared that it was desirable to attract into this Province the redundant wealth and population of the Mother Country, might not my project have been frustrated, without flying to the severe extreme of diminishing the wealth, and distressing the population which already existed in this country?

If it be really the opinion of the people, that this Province can never be prosperous or happy under my Administration, was there any necessity in expressing this sentiment, to resort to language which in all civilized countries has long been deemed disreputable to their inhabitants?

Does any honorable man conceive that I can entertain a desire to remain here for a moment, unless it were to protect by the King's authority, the real interests of the country?

Can any three professional gentlemen of Toronto, intently occupied in their own petty interests, presume to offer to Upper Canada the powerful protection and parental assistance which our Sovereign can bestow upon this young growing country?

Is the loyalty of this portion of the British Empire to bow before a self-constituted triumvirate, merely because it declares that no responsibility is trustworthy, but its own?

Gentlemen, I have no reply to offer to the questions, but commit them to your own calm judgment and good sense.

After receiving His Excellency's answer, Colonel FRASER added, that he was desirous by the deputation to communicate to Sir FRANCIS their wish, that his Excellency would be pleased to dissolve the present Parliament, and appeal to the loyalty and good feeling of the Province: to which His Excellency responded, that he would take their representation into due consideration.

Toronto, 28th May, 1836.  
The following is the reply of his Excellency the Lieutenant Governor, to an Address presented this day from *Electors of the Home District*, praying his Excellency to Dissolve the present House of Assembly.

GENTLEMEN:

The Addresses I have received, requesting me to dissolve the present House of Assembly are so numerous...the signatures are so respectable, and the firm man-

ly language conveyed to me from all parts of the province is so strongly corroborative of a feeling of general disapprobation of the harsh measure that has been resorted to, by stopping the supplies, that I shall no longer hesitate to exercise my prerogative, by dissolving the Assembly.

With respect to a certain letter which you state, was, 'laid on the table of the House of Assembly a few hours before the Prorogation of the Legislature, purporting to come from the Speaker of the House of Assembly of Lower Canada, and addressed to the Speaker of the House of Assembly here,' I have long refrained from noticing that document, although it has repeatedly been indignantly referred to in the Addresses from this Province, because, as the Resolution of the House of Assembly of Lower Canada, dated 15th February, merely authorised their Speaker to 'transmit copies of the foregoing Resolutions' to the Speakers of the several Assemblies of Upper Canada, and of the Sister Provinces, and to express the desire of this House cordially to co-operate with the said Assemblies, in all Constitutional measures calculated to promote the mutual interests of these Colonies,' it was evident to me that as Mr. Speaker Papineau's duty was thus clearly prescribed to him, he was not authorised to tack to his official communication his own private sentiments, nor was he in any way justified in proclaiming them in the first person plural as follows:—

'These Ministers we impeach.' 'Were we to resign ourselves to a degrading system of servitude.' 'If misrule went on unchecked in any of those neighbouring Colonies without exciting our sympathy, your ills would soon become our ills, and ours would reach you in return.' 'If you have to complain of evils similar to ours, or of any other evils, all Constitutional means in the power of the people of this province, would readily be resorted to, to aid you in their removal. Such good offices it is the duty of every Colony to render and to accept in return.'

It must be evident to every liberal-minded man, that the House of Assembly of Lower Canada did not authorise Mr. Papineau, in their name, to express to the House of Assembly of Upper Canada the foregoing sentiments, nor to designate his Majesty's Government as 'the naked deformity of the Colonial system'; nor to term the Royal Commissioners 'these deceitful agents'; nor to declare 'that the state of society all over Continental America, requires that the forms of its Government should approximate nearer to that selected UNDER PROPITIOUS CIRCUMSTANCES, and after mature consideration by the wise Statesmen in the neighboring Union, than to those into which chance and past ages have moulded European societies.'

What is the real character of Mr. Speaker Papineau's language?—what is its latent meaning?—what epithet will the civilized world give to it?—whether the House of Assembly of Lower Canada will approve or condemn their Legislative name being thus taken in vain, are opinions which were so unequivocally expressed in the House of Assembly in this Province when the document in question was first breathed upon them, that I have no observation whatever to make on the subject. But as Mr. Speaker Papineau has thought proper to promulgate in this province that 'the people of the Canadas, labouring under the accumulative wrongs proceeding from an Act of Parliament, unite as a man,' I feel it necessary publicly to repudiate that assertion, by declaring what the state of opinion in Upper Canada really is.

The people of Upper Canada detest democracy; they revere their Constitutional Charter, and are consequently staunch in their allegiance to their King.

They are perfectly aware that there exist in the Lower Province one or two individuals who inculcate the idea, that this Province is about to be disturbed by the interference of foreigners, whose power and whose numbers will prove invincible.

In the name of every Regiment of Militia in Upper Canada, I publicly promulgate—*Let them come if they dare!*

NEWSPAPER STAMPS.—Wednesday

Saturday morning at 6 minutes past 7, and

arrived in New-York at 8 minutes before

5 o'clock, including 15 landings.—Time

of actual running, 8 hours and 46 minutes.

—Albany Argus, May 3.

## MISSISKOUY STANDARD.

FREELIGHSBURG, JUNE 7, 1836.

We give to day two replies of his Excellency Sir F. B. Head to addresses from electors of U. C. In the second one it will be seen that Mr. Papineau's self-conceit and intermeddling officiousness receive a severe castigation. If blood sufficient exists in the frog-carcase of the fellow, from which to manufacture a blush, it must have flown to his face while reading the remarks of Sir Francis.

Sir Francis is not slow to declare, in his own straightforward manner, that the objects of the clique party here are perfectly understood, and will be boldly resisted by him.

The people of U. Canada detest democracy. The English yeomanry of Upper Canada detest even an English democracy; with what utter horror and hatred would they not detest a French democracy!

The detestation among British subjects of the state of things known by the name democracy, is natural enough; but when the component parts of a democracy must be formed of Frenchmen, and when that democracy must be the tyrant over Britons, the hatred of the democracy would come to British subjects sweet as mother-milk. If English Canada shall ever be delivered over to a 'pure democracy' of Frenchmen, (which we do not believe can happen) this hatred will burn out brightly and purely, until the French democracy shall have been driven from the land. The continent of North America sooner or later must be English. Let the French faction succeed in their aims here, and it requires not a Jeremiah to foretel, that short would be the time, ere the whole of Lower Canada would be thoroughly English. We need point only to Texas to shew, that, in a struggle against a race speaking a foreign tongue, the English must prevail.

But the British government is at length apparently opening its eyes to the designs of the faction. The representations of Lord Aylmer have not been without effect, nor the constitutional associations without influence. The further representations of Sir F. B. Head, which he will without doubt feel himself called upon to make to the Home government, in reference to Papineau's impudent letter, will add force to the constitutional cause. In the mean time the prospects of the constitutionalists in the Lower Province are certainly receiving additional strength, and we have the word of Sir Francis Bond Head, that in the Upper Province the cause must prove triumphant.

There is only one thing which we regret in connexion with the reply of Sir Francis, and that is, that the parliament of this province is not in session. We would have been then delighted with the ravings of the maniac Speaker and perhaps a resolution, (our Assembly is the capital hand at resolutions) depriving Sir Francis of his situation as Governor of U. Canada.

What will Lord Gosford, the truckler, say to the whipping his favorite has received?

Sir John Colborne met dispatches at New York, appointing him to the command of the Forces in all the North American colonies with a salary of £3000 a year. The minister was commanded by the King to express his Majesty's pleasure at having it in his power to place so important a command in so able hands; and as a farther mark of his Majesty's favor Sir John has been raised to the local rank of Lieutenant General. His administration of the government of U. C. has also been approved of as well as that of Sir F. B. Head.

This is truly, as a N. York paper expresses it, a triumph to the British party in Canada.

Where are the denunciations of the Radicals? Just where their temporary power will soon be—in the mud.

The Constitutional Association of Toronto is re-organised, and has published an eloquent address to the country. The connexion with the Mother country is its watchword,—'if need arise, it will be the battle cry.' Its example we hope will be followed all over the province.

The Gazette was the only Montreal paper we received by last mail. The election of delegates for the city had not terminated, at the hour of its publication, on Tues-

day morning. We regret to find that the manly, independent and Township method of election by open vote, was discarded for the ballot. In Quebec, we perceive that Messrs. A. Stuart and J. Neilson, were to be proposed, and the election to be by open vote.

To the Farmers' Advocate we are indebted for the heads of the law, appointing commissioner's courts.

The Sir Francis B. Head hats have reached this constitutional village. We hope to see them on the heads of all constitutionalists in the country. It is a most singular fact, that up to this date, no body has made a present of one to us!

Mr. Gardner, the Feather Renovator, is now in the village. His work is highly praised by those who have employed him,—a pretty fair criterion of his ability to do it well.

From the list of clearances, inserted today, between the 20th and 31st May, from Missiskoui Bay, it will be seen, that upwards of fifty-three thousand pieces of boards have been shipped, for the Southern market.

From the *Episcopal Recorder* of Philadelphia we extract the following notice:

'We are much indebted to friend in Plattsburg, N. Y. for forwarding us a copy of a pamphlet entitled, 'Remarks on the Lecture of the Rt. Rev. Bishop Hopkins against the Temperance Society, published in his late work, &c. by the Rev. James Reid, Rector of Trinity Church, St. Armand, L. C.'

'Were we entirely uninterested in the subject of these Remarks, we could not but have our attention riveted by the great power and discrimination of thought, which characterise them, and the truly Christian spirit by which they are pervaded. Having never met with any publication, which refutes so conclusively as this the objections made in the Church against Temperance Societies, we cannot but communicate to our readers so much of it as our limits will allow. Possibly, if they can have patience, we shall in due time copy the entire argument.'

In consecutive numbers the whole of the pamphlet is published.

Agreeable to public notice, given by the Constitutional Association of Montreal, and generally circulated through the District, for the simultaneous election of Delegates to represent the sentiments of the Loyal and well disposed, and determining upon measures to be adopted in the present crisis, a meeting took place on the 30th day of May inst., at one o'clock, P. M., in the village of Missiskoui, County of L'Assomption. Lewis Odell, Esq. having been called to the chair, and Traver Van Vleit, Esq. requested to act as Secretary, it was unanimously Resolved, That two persons should be elected by ballot, which being done Capt. Daniel Scott, and Edward March, Esqrs. were declared duly elected.

**MISSISKOUY BAY,**  
Cleared,  
Pieces.  
May 20 Swiftsure, Capt. Stoughton, 4250.  
21 Julia, Capt. Lewis Martin, 4165.  
24 Saratoga, Capt. Eggleston, 5239.  
27 Shannon, Capt. McNall, 4764.  
28 Cashier, Capt. Hinckley, 6508.  
28 New York, Capt. Edwards, 5181.  
28 Hawke, Capt. Martin, 1854.  
28 Malvern, Capt. Boynton, 5000.  
29 Royal Oak, Capt. Webster, 5000.  
31 North Amer., Capt. Hottingale, 5161.  
31 Senator, Capt. Farnham, 5161.  
Total, . . . . . 53057.

**Married,**  
At Montreal, on 30th ultimo, by the Rev. Mr. Perkins, Mr. C. H. HUNTINGTON of St. Albans, to Miss CAROLINE STREET, both formerly of this place.

**Died,**  
At Yamaska, on 27th April, Miss Emily Hubbard, daughter of Mr. William Hubbard, of Sutton, in the 17th year of her age. On the 20th March she left home to attend school at Yamaska; and on 20th May her father went to bring her home. When within 12 miles of the village he, for the first time, heard of her death and burial. Her death will be more sensibly felt, as she was universally beloved. Printers are requested, &c.

**New Goods**  
IN ST. ALBANS.  
THE Subscriber has just returned from New York, and has now opened at his Store, opposite T. H. Campbell's Tavern in St. Albans, a very large and general assortment of

**Goods,**  
which he offers very low. His Customers and others in Canada, are invited to call and see them. He trusts his assortment and prices are such as will satisfy them that his Goods are good and low.

WILLIAM FARRAR.  
St. Albans, June 3, 1836.

**Notice.**  
Mr. Gardner has been prevented, by a pressure of business, from reaching this village until yesterday. He, to his surprise, finds that a speculator has come in between him and the public, but all Mr. G. requests is an inspection of his work, and his motto is, 'if not good work, no pay.'

JAMES GARDNER,  
Freelighsburg, June 4, 1836. V2.9tf.

**Notice.**  
The Public will please to take notice that Mr. John Brown has not fulfilled, on his part, any part of the agreement he had with me. I will not be accountable for any WOOL that may be left at Mrs. Cutting's, or elsewhere, as there is no prospect of the Carding Machine going into operation at Lacole Mills.

Lacole, 3d June, 1836. JOSEPH BLAIN.  
V2.9tf.

ST. ALBANS, MAY 31, 1836.

## New & Cheap GOODS.

I have received and now offer for sale, at my old stand, a large and general assortment of

## Fancy & Staple Goods,

including a large stock of

Sheetings, Tickings,  
Cotton Yarn, Candlewick,  
Batts, Wadding,  
Paper Hangings,  
Broad Cloths, Cassimeres,  
Satinets, Silks,  
Bombazines, Calicos,  
Muslins, Laces,  
Jackonet, Bonnets,  
Ribbons, Gloves,  
Hosiery, &c. &c.

## Hardware and Crockery.

Teas, Tobacco, Snuff,  
Sugar, Molasses, Coffee,  
Salaratus,  
Glass, Nails,  
Flour, &c.

All a little CHEAPER than my neighbors.  
Will Purchasers call and examine Goods & prices?

ORANGE ADAMS.

## Notice.

THE business in the Factory of the hon. ROBERT JONES, in the village of BEDFORD, will the ensuing season, be conducted by

MR. FRENCH PAIGE, a workman of acknowledged abilities and experience, who has been specially engaged for that purpose.

## Wool,

will be carded for

Cash down, 2 pence per lb.  
Payable in January next, 4 cents per lb.  
And after that time, 5 cents per lb.

All persons committing work to his care, may rely on punctuality and dispatch.

Most kinds of produce received in payment for work done.

Bedford, May 23, 1836. V2-8 6w

## Wanted

A N active lad to assist at a CARDING MACHINE and FULLING MILL.

Any one possessing a good character and wishing to become acquainted with that branch of business, will meet with suitable encouragement by enquiring at the office of this paper.

May 23, 1836. V2-8 6w

## Notice.

THE subscriber begs leave to inform his friends and the public in general, that having hired

## MACHINERY,

in the village of Freelighsburg, for the purpose of Carding and Cloth-Dressing, He will do work at the following prices per lb.:

Cash down. 3 cents per lb.  
Grain, in January next, 4 cents per lb.  
Or, at the end of the year, 5 cents per lb.

He will Card for every eleventh.

Most Kinds of produce will be taken in payment.

ALL demands in favour of the establishment, must be paid to R. V. V. Freeligh.

Wool may be left at Philip Derrick's, 3d concession ; Oliver Flagg's, 6th concession ; David Nutt's, Ephraim Wheeler's & Joseph Wheeler's.

JOHN BROWN (late of Bedford.)

Freelighsburg, May 12, 1836.

## Notice

IS hereby given that a Meeting of the Inhabitants of the County of Missiskoui interested in the Road between Sutton and Petton, known by the name of Mountain Road, will be held at the Widow Anna Shepherd's, in Sutton, on the Second Saturday of June next, at 10 o'clock forenoon, to take into consideration the state of said Road, and devise measures for its completion and improvement.

PELEG SPENCER,  
HENRY BRIGHT,  
DANIEL SPENCER,  
JOHN SHEPHERD,  
IRA JONES,  
DANIEL JONES,  
ROBERT MANSON,  
RICHARD SHEPHERD,  
DANIEL JONES,  
ELKANY JONES.

Sutton, May 20, 1836.

## POST-OFFICE NOTICE.

NOTICE is hereby given, that the Deputy Post Master General having experienced difficulty in disposing of the

Notes of Unchartered Banks,

remitting to him, there will not hereafter be received at this office any Notes but those belonging to the

Legally Chartered Banks of the Provinces.

J. CHAMBERLIN, P. M.

Post Office, May 30th, 1836. V2.8 tf

## \$10 Reward.

TOLEN from the enclosure of the Subscriber on the night of the 2d of May, a small BROWN CANADIAN MARE, with a small white strip in her face. Whoever will return said mare and thief shall be entitled to the above reward, or \$5 for either the mare or the thief; the thief is supposed to be a Canadian by the name of Peter Bessett.

ELWYN BOWKER.

St. Armand, 16th May, 1836. V2.6-tf

## For Sale,

M Y FARM, lying on the road between Henrryville & Missiskoui Bay; consisting of 180 acres of land, upon which are

A House, Barn & Shop.

28th March, 1836. AMOS STOW.

51tf.

## POETRY.

### WHAT IS LOVE.

It is a mystic, magic light  
Within the heart of man;  
'Tis the blaze that flames so bright  
Along the sky we scan;  
It is the meteor of the mind  
In the Ideal sky;  
It is the sun-light of mankind,  
The intellectual eye.  
  
The chain of feelings binds our hearts  
By strong attraction given;  
Love's lightning soon a check imparts;  
Unseen like that from heaven:  
Upon the index of the soul,  
In smiles the lightning plays,  
Beneath the tongue its thunders roll,  
In pleasing peals of praise.  
  
'Tis like the radiant rainbow bright  
When shining on the soul;  
But like that bow it blends with night  
When down hope's sun doth roll;  
'Tis like the flame that flashes pure  
On rich and rosy wine;  
It is the soul of song, and sure  
The child of deeds divine.  
  
No painter's pencil e'er hath placed  
On canvas Cupid's flame;  
No sculptor e'er hath marble graced  
With aught save but the name;  
Like beauty love lives in the mind,  
And in the eye doth roll,  
A spark of deity refined  
The lightning of the soul.

### THE DOOM OF SOULIS.

concluded.

‘Marion!—fair Marion!’ said the widow and ruffian lover, ‘scream not—struggle not—be calm and hear me. I love thee!—pretty one I love thee!’ and he rudely raised her lips to his. ‘Fate hath decreed thou shalt be mine. Marion—and no human power shall take her from me. Weep not—strive not. Hear ye not I love thee—love thee fiercely, madly maidened, as a she-wolf doth its cubs. As a river seeketh the sea, so have I sought thee Marion; and now thou art mine....Fate hath given thee unto me, and thy fair cheek shall rest upon a manlier bosom than that of Branxholm’s beardless heir.’ Thus saying, and still grasping her before him, he again plunged his spurs into his horse’s side, and he and his followers rode furiously towards Hermitage Castle.

He locked the gentle Marion within a strong chamber, he

‘Wooed her as the lion woos his bride.’

And now she wept, she wrung her hands, she tore her raven hair before him, and it hung dishevelled over her face and upon her shoulders. She implored him to save her, to restore her to liberty; and again finding her tears wasted and her prayers in vain, she defied him, she invoked the vengeance of Heaven upon his head; and at such moments the tyrant and the reputed sorcerer stood awed and stricken in her presence. For there is something in the majesty of virtue and the holiness of innocence, as they flash from the eyes of an injured woman, which deprives guilt of its strength and defeats its purpose, as though Heaven lent its electricity to defend the weak.

But wearied with impetuosity, and finding his threats of no effect, on the third night that she had been within his castle he uttered aloud his invocation. But the spirit arose not at his summons. Marion knew the tale of his sorcery—she knew and believed it, and terror deprived her of consciousness. On recovering she found herself again in the strong chamber where she had been confined, but Soulis was not with her. She strove to calm her fears, she knelt down and told her beads, and she begged that her Walter might be sent to her deliverance.

It was scarce day break when the young heir of Branxholm, whose bow no man could bend, and whose sword was terrible in battle, with twice ten armed men, arrived before Hermitage Castle, and demanded to speak with Lord Soulis. The warbler blew his horn, and Soulis and his attendants came forth and looked over the battlement.

‘What want ye, boy?’ inquired the wizard chief, ‘that ere the sun be risen ye come to seek the lion in his den?’

‘I come,’ replied young Walter boldly, ‘in the name of our good king, and by his authority, to demand that ye give into my hands, safe and sound, my betrothed bride, lest vengeance come upon thee.’

‘Vengeance! bearding! rejoined the sorcerer, ‘who dares speak of vengeance on the house of Soulis?—or whom call ye king? The crown is mine—the bride is mine, and thou also shalt be mine, and a dog’s death shalt thou die for thy morning’s boasting.’

‘To arms! he exclaimed, as he disappeared from the battlement, and within a few minutes a hundred men rushed from the gate.

Sir Walter’s little band quailed as they beheld the superior force of their enemies, and they were in dread also of the sorcery of Soulis. But hope revived within them when they beheld the look of confidence on the countenance of their young leader, and thought of his arm, and the terror which his sword spread.

As hungry tigers spring upon their prey,

so rushed Soulis and his vassals upon Sir Walter and his followers. No man could stand before the sword of the sorcerer. Antagonists fell as impotent things before his giant strength. Even Walter marvelled at the havoc he made, and he pressed forward to measure swords with him. But ere he could reach him, his few followers who had escaped the hand of Soulis and his host, fled and left him to maintain the battle single-handed. Every vassal of the sorcerer, save three, pursued them, and against these three, and their charmed lord, young Walter was left to maintain the unequal strife. But as they pressed around him, ‘Back!’ cried Soulis, trusting to his strength and to his charm, ‘from my hand alone must Branxholm’s young boaster meet his doom. It is meet that I should give his head as a toy to my bride fair Marion.’

‘Thy bride, fiend!’ exclaimed Sir Walter, ‘thine!—now perish! and he attacked him furiously.

‘Ha! ha! cried Soulis, and laughed at the impetuosity of his antagonist, while he parried his thrusts, ‘take rushes for thy weapon boy, steel falls feckless upon me.’

‘Vile sorcerer!’ continued Walter pressing upon him more fiercely, ‘this sword shall sever thy enchantment.’

Again Soulis laughed, but he found that his contempt availed him not, for the strength of his enemy was equal to his own, and in repelling his fierce assaults, he almost forgot the charm which rendered his body invulnerable. They fought long and desperately, when one of the followers of Soulis, suddenly and unobservedly thrusting his spear into the side of Sir Walter’s horse, it reared, stumbled and fell, and brought him to the ground.

‘An arrow shot!’ exclaimed Soulis; ‘wherefore boy dost thou presume to contend with me?’ And suddenly springing from his horse, he pressed his iron heel upon the breast of his foe, and turning also the point of his sword towards his throat—

‘Thou shalt not die yet,’ said he, and turning to the three attendants who had not followed in the pursuit, he added—

‘Hither,—bind him fast and sure.’ Then did the three hold him on the ground, and bind his hands and his feet, while Soulis held his naked sword over him.

‘Coward and wizard! I exclaimed Walter, as they dragged him within the gate, ‘ye shall rue this foul treachery.’

‘Ha! ha! vain boasting boy! returned Soulis, ‘thou indeed shall rue thy recklessness.’

He caused his vassals to bear Walter into the strong chamber where fair Marion was confined, and grasping him by the neck while he held his sword to his breast, he dragged him towards her, and said sternly—

‘Consent thee now maiden to be mine, and this...and his head shall roll before thee on the floor as a plaything.’

‘Monster! she exclaimed, and screamed aloud, ‘would ye harm my Walter?’

‘Ha! my Marion!—Marion!’ cried Walter, struggling to be free, and turning his eyes fiercely upon Soulis, ‘destroy me fiend,’ he added, ‘but harm not her.’

‘Think on it maiden,’ cried the sorcerer raising his sword, ‘the life of thy bonny bridegroom hangs upon thy word. But ye shall have until midnight to reflect on it. Be mine then, and harm shall not come upon him or thee; but a man shall be thy husband, and not the boy whom he hath brought to thee in bonds.’

‘Beshrew thee vile sorcerer!’ rejoined Walter, ‘were my hands unbound, and unarmed as I am, I would force my way from thy prison in spite of thee and thine!’

Soulis laughed scornfully, and again added—‘Think on it fair Marion.’

Then did he drag her betrothed bridegroom to a corner of the chamber, and ordering a strong chain to be brought, he fastened him against the wall; in the same manner he fastened her to the opposite side of the apartment, but the chains with which he bound her were of silver.

When they were left alone, ‘Mourn not sweet Marion,’ said Walter, ‘and think not of saving me...before to-morrow our friends will be here to thy rescue, and though I fall a victim to the vengeance of the sorcerer, still let me be the bridegroom of thy memory.’ Marion wept bitterly, and said that she would die with him.

Throughout the day the spirit of Lord Soulis was troubled, and the fear of coming evil sat heavy on his heart. He wandered to and fro on the battlements of his castle, anxiously looking for the approach of his retainers who had followed in pursuit of the followers of Branxholm’s heir. But the sun set, and the twilight drew on, and still they came not; and it was drawing towards midnight when a solitary horseman spurred his jaded steed towards the castle gate. Soulis admitted him with his own hand into the court-yard, and ere he had dismounted, he inquired of him basely and in a tone of apprehension—

‘The wood comes towards us!’ exclaimed one of his followers.

‘What!...the wood comes! cried Soulis,

and his cheeks became pale, and he thought of the words of the demon—‘Beware of a coming wood’—and for a time their remembrance, and the forest that seemed to advance before him, deprived his arm of strength and his mind of resolution, and before his heart recovered, the followers of the house of Branxholm, to the number of fourscore, each bearing a tall branch of the rowan-tree in their hands, as a charm against his sorcery, perceived, and raising a loud shout, surrounded him.

The cords with which the arms of Marion and Walter were bound were instantly cut asunder. But although the odds against him were as twenty to one, the daring Soulis defied them all. Yea, when his followers were overpowered, his single arm dealt death around. Now there was not a day passed that complaints were not brought to King Robert from those residing on the Borders against Lord Soulis for his lawless oppression, his cruelty, and his wizard-craft. And one day there came before the monarch, one after another, some complaining that he had brought diseases on their cattle, or destroyed their houses by fire, and a third that he had stolen away the fair bride of Branxholm’s heir; and they stood before the king, and begged to know what should be done unto him. Now the king was wearied with their importunities and complaints, and he exclaimed peevishly and unthinkingly—‘Boil him if you please, but let me hear no more of him.’ But,

being ignorant of the winding paths through its bottomless morass, horses and men have been buried in it—they who sank not fell beneath the swords of those they had pursued, and I only have escaped.’

‘And wherefore did ye escape knave?’ cried the fierce sorcerer—‘why did ye live to remind me of the shame of the house of Soulis?’ and as he spoke, he struck the trembling man again.

He hurried to the haunted dungeon and again performed his incantations, with impatience in his manner and fury in his looks. Thrice he violently struck the chest, and thrice he exclaimed impetuously—

‘Spirit, come forth!—arise and speak with me!’

The lid was lifted up, and a deep angry voice said—

‘Mortal! wherefore hast thou summoned me before the time I commanded thee? Was not thy wish granted. Steel shall not wound thee,—cords bind thee,—hemp hang thee,...nor water drown thee. Away!’

‘Stay!’ exclaimed Soulis, ‘add, nor fire consume me!’

‘Ha, ha! cried the spirit in a fit of horrid laughter, that made even the sorcerer tremble—‘Beware of a coming wood!’ and with a loud clang the lid of the chest fell, and the noise as of thunder beneath his feet was repeated.

‘Boil him on the Nine-stane-rig!’

And they bore him to where the stones of the druids are to be seen until this day, and the two stones are yet pointed out from which the caldron was suspended. They kindled piles of faggots beneath it, and they bent the living body of Soulis within the lead, and thrust it into the caldron, and as the flames arose the flesh and the bones of the wizard were consumed in the boiling lead....Such was the doom of Soulis.

The king sent messengers to prevent his hasty words being carried into execution, but they arrived too late.

In a few weeks there was mirth and music, and a marriage-feast in the bower of Branxholm, and fair Marion was the bride.

‘It is the curse of kings to be attended by slaves that take their humor for a warrant,’ said the wise man, ‘and when the enemies of Soulis heard these words from the lips of the king, they hastened away to put them in execution; and with them took a wise man, one who was learned in breaking the spells of sorcery, and with him he carried a scroll, on which was written the secret wisdom of Michael the wizard; and they arrived before Hermitage Castle while its lord was contending single-handed against the retainers of Branxholm; and their swords were blunted on his buckler, and his body received no wounds. They struck him to the ground with their lances, and they endeavoured to bind his hands and his feet with cords, but his spell snapped them asunder as threads.

‘Wrap him in lead,’ cried the wise man, ‘and boil him therewith according to the command of the king, for water and hempen cords have no power over his sorcery.’ Many ran towards the castle, and they tore the lead from the turrets, and they held down the sorcerer and rolled the sheets around him in many folds, till he was powerless as a child, and the foam fell from his lips in the impotency of his rage. Others procured a caldron, in which it was said many of his incantations were performed, and the cry was raised—

‘Boil him on the Nine-stane-rig!’

And they bore him to where the stones of the druids are to be seen until this day, and the two stones are yet pointed out from which the caldron was suspended. They kindled piles of faggots beneath it, and they bent the living body of Soulis within the lead, and thrust it into the caldron, and as the flames arose the flesh and the bones of the wizard were consumed in the boiling lead....Such was the doom of Soulis.

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